

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

DAVID ALAN NORTHCUTT §
VS. § CIVIL ACTION NO. 6:06cv457
UNITED STATES OF AMERICA § CRIM. NO. TY-74-6-CR

O R D E R

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the motion to set aside the conviction in Crim. No. TY-74-6-CR is **GRANTED**. It is further

ORDERED that the conviction in Crim. No. TY-74-6-CR is set aside and expunged. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

SIGNED this 31st day of January, 2007.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE